

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHARON RUSNAK,)
)
Plaintiff,)
)
v.) 2:05cv130
)
AETNA LIFE INSURANCE COMPANY,) Judge McVerry
) Magistrate Judge Hay
)
Defendant.)

O R D E R

AND NOW, this 29th day of December, 2005, after the plaintiff, Sharon Rusnak, filed an action in the above-captioned case, and after a Motion to Dismiss was submitted by defendant, Aetna Life Insurance Company, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's Motion to Dismiss [Docket No. 7] is DENIED.

s/ Terrence F. McVerry
United States District Court Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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